

LEGISLATIVE BILL 108

Approved by the Governor March 10, 2011

Introduced by Carlson, 38.

FOR AN ACT relating to division fences; to require maintenance of division fences as prescribed.

Be it enacted by the people of the State of Nebraska,

Section 1. Every person liable to contribute to the construction and maintenance of a division fence or any portion thereof shall maintain his or her portion in good repair, including the necessary removal or trimming of trees and woody growth within or encroaching upon the fenceline to repair or avoid damage to, or dislocation of, the division fence. The occurrence of trees and woody growth within or encroaching upon a division fence that causes damage to, or dislocation of, the fence shall constitute a private nuisance to the adjacent landowner's possessory interests in his or her land.